## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS CORPUS CHRISTI DIVISION

JAIME VALENZUELA, ANNABELLE
IBANEZ, ESMERALDA ALFARO,
ARNOLD CASAS, PAULA CASAS,
ROBERT SHIPP, MARIA SHIPP, MIGUEL
LOPEZ, HERSHAL FRAZIER, ISAAC
ROCHA, JACKIE ROCHA and LOUIE
GONZALEZ,

§ 8

**Plaintiffs** 

VS.

REDMAN HOMES, INC. A/K/A REDMAN HOUSING, TITAN HOMES, INC., OAKMAN HOMES, INC. D/B/A OAKWOOD MOBILE HOMES, INC., SOUTHERN HOMES, PALM HARBOR HOMES D/B/A MASTERPIECE HOUSING, CLAYTON HOMES, INC., SOUTHERN ENERGY HOMES, INC., SOUTHERN LIFESTYLE HOMES, INC., BELMONT HOMES, INC. D/B/A MS BELMONT HOMES, INC., DANE ENERGY D/B/A THE HOMEPORT, LUV MOBILE HOME SALES, CIT GROUP SALES AND FINANCE, HOMES BY OAKWOOD, VALUE HOUSING, INC., OAKWOOD ACCEPTANCE, CORP., GREENPOINT CREDIT, L.L.C. D/B/A GREENPOINT CREDIT, INC., VANDERBILT MORTGAGE & FINANCE, INC., NATIONS CREDIT AND HOUSING, INC. UNITED COMPANY FUNDING, INC., and GREENTREE FINANCIAL SERVICING CORP.

Defendants

United Court Southern District of Texas
FILED

SEP 03 1999

Michael N. Milby, Clerk

Cause No. (-99-35)

#### NOTICE OF REMOVAL

#### TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW the Defendants, Clayton Homes, Inc., Luv Mobile Home Sales, and Vanderbilt Mortgage and Finance, and respectfully remove this Court Cause No. 99-08-37833, styled *Jamie Valenzuela, et al. v. Redman Homes, Inc. a/k/a Redman Housing, et al.*, now pending in the 79th Judicial Court of Jim Wells County, Texas. Removal is proper for the following reasons:

Plaintiffs, at the time of the commencement of the state court action, and at the present time, are individuals and residents of the State of Texas.

Defendants, Clayton Homes, Inc., at the time of the commencement of the state court action, and at the present time, is a corporation duly incorporated and existing under and by virtue of the laws of the State of Tennessee with its principal office in Marysville, Tennessee, and is, therefore, a citizen of the State of Tennessee.

This Court has original jurisdiction of this cause under 28 U.S.C. § 1331, because the civil causes of action involve a federal question. Venue is proper in this Court as the district and division embracing the place where the state action was pending pursuant to 28 U.S.C. § 1441(a).

This Court has original jurisdiction of this cause under 28 U.S.C. § 1332 because certain Defendants have been fraudulently joined to defeat diversity. Those not fraudulently joined are not citizens of the State of Texas. Thus, complete diversity exists under 28 U.S.C. § 1332(a)(2) between the Plaintiffs and the properly joined Defendants. As shown in the Plaintiff's original petition alleges the amount in controversy to be \$100,000 per individual Plaintiff.

The Defendants will give written notice of the filing of this Notice to all parties and/or their attorneys of record, and will file a copy of this Notice with the Clerk of the District Court of Jim Wells County, Texas. A copy of all process, pleadings and orders served upon the Defendants is

attached hereto, as well as all papers filed with the state court from which removal is sought.

Attached is the Docket Sheet from the state court from which removal is sought, an index of matters being filed, and a list of all counsel of record, including addresses, telephone numbers, and parties represented.

WHEREFORE, Defendants, Clayton Homes, Inc., Luv Mobile Home Sales, and Vanderbilt Mortgage and Finance, pray that this Court assume jurisdiction of this cause as if it had been originally filed here, and that further proceedings in state court be stayed. These Defendants further pray for other and further relief to which they may show themselves justly entitled.

Respectfully submitted,

CLAYTON HOMES, INC., LUV MOBILE HOME SALES, AND VANDERBILT MORTGAGE AND FINANCE, INC., DEFENDANTS

**ED WALTON** 

SBN: 20828550

Law Offices of Ed Walton 8300 Douglas, Ste. 800 Dallas, Texas 75225 (214) 706-9325

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#### **CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the above and foregoing has this day been forwarded to Hector P. Gonzales, P.O. Box 3728, Alice, Texas 78333 by certified mail, return receipt requested.

Signed this and day of September \_\_\_\_\_, 1999.

ED WALTON

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Date Printed: 38/31/99 - Time: 10:52:42 Event/Calendar/Reporting Event Associated With Case: 99-08-37833-CV Date Filed: 08/16/99 JAIME MALENZUELA, ET AL REDMAN HOMES, INC. a/k/a REDMAN HOUSING, ET AL Proc Event Descr Disposition tion Loc. Fol. Page \* \* \* FLT'S ORIS PETITION \* \* \* \* \* \* \* DIT ISD TO REDMAN HOMES, INC., ST AL/DELY BY C.M. \* \* \* \* \* \* CIT 19D TO BOUTHERN ENERGY HOMES A/K/A BOUTHERN LIFESTYLES/DELV BY CM \* \* \* CIT 13D TO DAME EMERGY DIBIA THE HOMEPORTIDELY BY CM - \* \* \* \* \* \* CIT ISD LUV MODILE HOME SALES./DELV BY D.M. \* \* \* CONTROL DISTRICT SAIL \* \* \* CIT ISD TO GREENPOINT DREDIT, INC. \* \* \* CERT. OF SERV BY CM TO REDMAN, SOUTHERN ENERGY, TITAM, DANE, LUV AND GREENPOINT \* \* \* \* \* \* SRVD ON LUV MOBLIE HOME BALES BY V J BLANKENSHIP \* \* \* 28/24/99 DISTRI MT TRANSFER 08/24/99 DISTRI RET RECEIPT SRVD \* \* \* RECEIPT RETURNED SERVED 08/19/99 ON DANE ENERGY BY PAUL ROTH I 360-855-713 \* \* \* 28/24/99 DISTRI RET RECEIPT SRVD. \* \* \* RECEIPT RETURNED ERVD 08/20/99 ON GREEN POINT CREDIT BY L. CONRAD P349-682-638 \* \* \* 28/24/99 DISTRI RET RECEIPT SRVD RECEIPT RETURNED SERVED 08/20/99 ON NATIONS CREDIT HOME EQUITY P349-682-639 \* \* \*

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JAIME VALENZUELA, ET AL

REDMAN HOMES, INC. a/k/a REDMAN HOUSING, ET AL

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AUG 1 6 1999

CLERK DIST COURT, JIM VELLS CO., TEXAS

CAUSE NO. 99-08-37833

JAIME VALENZUELA, et al

\$ IN THE DISTRICT COURT

\$ 
VS. 

\$ 79<sup>th</sup> JUDICIAL DISTRICT

\$ 
REDMAN HOMES, INC. a/k/a REDMAN

HOUSING, et al

\$ JIM WELLS COUNTY, TEXAS

#### PLAINTIFFS' ORIGINAL PETITION

COME NOW, Jaime Valenzuela, Annabelle Ibanez, Esmeralda Alfaro, Arnold Casas, Paula Casas, Robert Shipp, Maria Shipp, Miguel Lopez, Hershal Frazier, Isaac Rocha, Jackie Rocha, Louie Gonzalez, hereinafter called Plaintiffs complaining of Redman Homes, Inc., a/k/a Redman Housing, Titan Homes, Inc., Oakwood Homes, Inc., d/b/a Oakwood Mobile Homes, Inc., Southern Homes, Palm Harbor Homes d/b/a Masterpiece Housing, Clayton Homes, Inc., Southern Energy Homes, Inc., Southern Lifestyle Homes, Inc., Belmont Homes, Inc., d/b/a MS Belmont Homes, Inc., Dane Energy d/b/a The Homeport, Luv Mobile Home Sales, CIT Group Sales and Finance, Homes by Oakwood, Value Housing, Inc., Oakwood Acceptance, Corp., Greenpoint Credit, L.L.C. d/b/a Greenpoint Credit, Inc., Vanderbilt Mortgage & Finance, Inc., Nations Credit and Housing, Inc., United Company Funding, Inc., Greentree Financial Servicing Corp., Crestpoint abandoned Assumed Name. CIT Group Sales and Finance, Inc., BankAmerica Housing, A Division of Bank of America, F.S.B.

#### II. VENUE

Plaintiffs are residents in Jim Wells County, Texas. Venue is proper in Jim Wells County, Texas because the breach of warranty of consumer goods was in Jim Wells County, Texas.

Defendants Redman Homes, Inc., a/k/a Redman Housing, Oakwood Homes, Inc., d/b/a Oakwood Homes, Inc., Palm Harbor Homes, Clayton Homes, Inc., Belmont Homes, Inc. d/b/a MS

Defendant Nations Credit Home Equity Service, P.O. Box 150270, Ft. Worth, Texas 76108.

#### III. FACTUAL BACKGROUND

Plaintiffs herein are all purchasers of manufactured homes. Individually each of the Plaintiffs herein purchased their mobile home because it was represented to each of them that it was a good investment. They were each told that the home would appreciate in value. They were all assured that their homes were constructed in a good and workmanlike manner with materials of the highest quality. They were all promised that the homes would be installed in a professional manner as the results of all the aforementioned representations, each of the Plaintiffs herein executed what they thought was a retail installment contract and committed their purchasing power to the purchase of said homes.

In return for the representations that were made to them, the Plaintiffs agreed to make the monthly payments called for in their contracts for the periods specified. They did this because they believed and relied on the representations made to them by the manufacturers, retailers and financing institutions, that are the Defendants herein.

Time has shown that the representations were false and untrue and that the Plaintiffs were, by said deceptions, gotten to execute the retail installment contract that affected them pecuniarily.

#### IV.

Plaintiffs will prove to this court and jury that on a day, the exact date unknown to the Plaintiffs, that the Defendants herein acting alone and/or together entered into a conspiracy to manufacture, retail and finance the mobile homes purchased by the Plaintiffs herein. That the Defendants were at all times, cognizant that the purchase of said mobile home was not a good investment, that they did not appreciate in value. That knowing all these facts, the Defendants acting

together and/or alone created the atmosphere and the situation in which the Plaintiffs purchased the

aforementioned mobile home to their detriment.

The acts and/or omissions of the Defendants herein, acting together or alone was a conspiracy

to:

A. defraud the Plaintiffs herein;

B. get by deception the Plaintiffs herein to execute the retail installment contract tying we the Plaintiffs credit and obligating the Plaintiffs to make monthly payments for a

up the Plaintiffs credit and obligating the Plaintiffs to make monthly payments for a

designated period;

C. to collect interest from the Plaintiffs that was usurious;

D. violate express or implied warranties of consumer products;

E. violate the deceptive trade practices act; and

F. violate various sections of the Texas Penal Code.

V.

The acts and/or omissions was the proximate and/or producing cause of Plaintiffs' damages

which amount to \$100,000 per individual Plaintiff.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs pray that Defendants be cited to

appear and answer herein and upon final trial hereto, Plaintiffs have judgment against Defendants for

actual damages as provided, statutory penalties, pre and post judgment, interest at the rate provided

by law, for fraud in an amount to be determined at trial and for such other and further relief to which

Plaintiffs may show themselves justly entitled, all of which exceed the minimal jurisdictional limits

of this Honorable Court.

Respectfully submitted,

HECTOR P. GONZALEZ LAW OFFICE

P.O. Box 3728

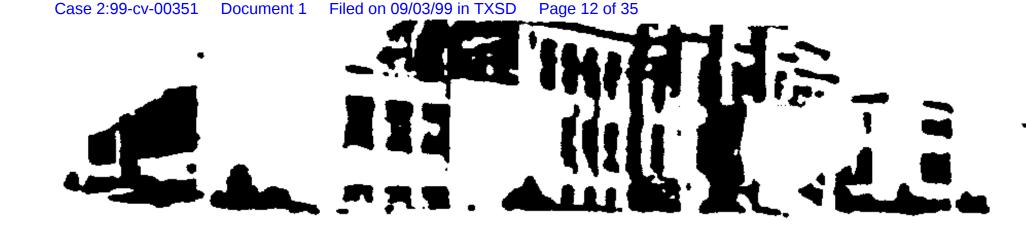
Alice, Texas 78333

TEL: 361/668-0325

FAX: 361/668-9327

Hector P. Gonzalez

SBN: 08127000



# CONNTY OF JIM WELLS

ALICE. TEXAS 78333

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LUV MOBILE HOMES SALES TO: BY SERVING LUV MOBILE HOME SALES 1708 HOUSTON, HWY. VICTORIA, TEXAS 77901

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	Defendant, Greetings:
YOU HAVE BEEN SUED. You may employ an attorney. If you or you clerk who issued this citation by 10:00 a.m. on the Monday next twere served this citation and petition a default judgment may be	following the expiration of twenty days after you
Said Plaintiff's Original Petition was filed in said court, on the	16 day of AUGUST A.D.
19 <u>99</u> in this cause, numbered <u>99-08-37833</u> on the docke County, Alice, Texas, and styled,	t in the 79th Judicial District Court of Jim Wells
JAIME VALENZUELA, et al	Plaintiff.
VS.	
REDMAN HOMES, INC. a/k/a REDMAN HOUSING, et al	Detendant ,
The nature of Plaintiff's Demand is fully shown by a true and companying this citation, and made a part hereof.	
PLAINTIFF'S ORIGINAL PETITION	
Issued and given under my hand and the seal of said C	ourt at Alice, Texas, this the <u>17</u> day of
AUGUST 4.D. 19 99	
ARSDAVID GUERRERUDierk District Court, Jim Wells Court	ity Texas
P. O. Chaver 2219 Alice, Texas 78332	
/ $/$ $/$	a E. Jeres Denun
Bv	Deputy
(SEAL)	ATTORNEY FOR PLAINTIFF: HECTOR P. GONZALEZ
	P.O. BOX 3728

Rule 10,6 or religit on shall be served by the officer delivering to each derendant in derson 1,77,4 or 5 or 17 highly 10 or 5 or 17 highly 10.

TO: GREENPOINT CREDIT, L.C.

d/b/a GREENPOINT CREDIT, INC.

BY SERVING REGISTERED AGENT

LEXIS DOCUMENT SERVICES, INC.

905 CONGRESS AVE.

AUSTIN, TEXAS 78701

ORIGINAL

Defendant , Greetings
YOU HAVE BEEN SUED. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition a default judgment may be taken against you.
Said Plaintiff's Original Petition was filed in said court, on the 16 day of AUGUST A.D
19 <u>99</u> in this cause, numbered <u>99-08-37833</u> on the docket in the 79th Judicial District Court of Jim Wells County, Alice, Texas, and styled,
JAIME VALENZUELA, et al
<b>VS</b>
REDMAN HOMES, INC. a/k/a REDMAN HOUSING, et al
The nature of Plaintiff's Demand is fully shown by a true and correct copy of Plaintiff's Original Petition accompanying this citation, and made a part hereof.
PLAINTIFF'S ORIGINAL PETITION
Issued and given under my hand and the seal of said Court at Alice, Texas, this the $17$ day of
AUGUST A.D. 19 99
ARSDAVID GUERRER(Elerk, District Court, Jim Wells County, Texas P. O. Drawer 2213
Alice, Texas 78332
By
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ATTORNEY FOR PLAINTIFF:
HECTOR P. GONZALEZ
P.O. BOX 3728
ALICE, TX. 78332

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NATIONS CREDIT HOME EQUITY SERVICE P.O. BOX 15027 - FT. WORTH, TEXAS

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ORIGINAL

Said Plaintiff's Original Petition was filed in said court, on the	16_day ofAUGUST A.D.
19_99 in this cause, numbered 99-08-37833 on the docker County, Alice, Texas, and styled,	t in the 79th Judicial District Court of Jim Wells
JAIME VALENZUELA, et al	Plaintiff.
VS.	
REDMAN HOMES, INC. a/k/a REDMAN HOUSING, et al	Detendant .
The nature of Plaintiff's Demand is fully shown by a true and copanying this citation, and made a part hereof.	The second secon
PLAINTIFF'S ORIGINAL PETITION	
Issued and given under my hand and the seal of said Co	ourt at Alice, Texas, this the <u>17</u> day of
AUGUST 4.D. 19 99	
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P. O. Drawer 2219 Alice, Texas 78332	. 1
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	ATTORNEY FOR PLAINTIFF:

Rule 10b. The ditation shall be served by the officer delivering to each detendant in person, or Jedgood in the jim is in its

HECTOR P. GONZALEZ

ALICE, TX. 78332

P.O. BOX 3728

# THE STATE OF TEXAS ORIGINAL

TO: TITAN HOMES OF MISSISSSIPPI, INC. - BY SERVING REGIS. AGENT TITAN HOMES OF MISSISSIPPI, INC. 10194 LORRAINE ST. GULF PORT, MISSISSIPPI 39503

	Defendant , Greetings:
YOU HAVE BEEN SUED. You may employ an attorney. If you or your clerk who issued this citation by 10:00 a.m. on the Monday next followere served this citation and petition a default judgment may be taken	wing the expiration of twenty days after you
Said Plaintiff's Original Petition was filed in said court, on the1	6_day of <u>AUGUST</u> A.D.
19_99 in this cause, numbered 99-08-37833 on the docket in County, Alice, Texas, and styled,	the 79th Judicial District Court of Jim Wells
JAIME VALENZUELA, et al	Plaintiff.
VS.	
REDMAN HOMES, INC. a/k/a REDMAN HOUSING, et al	Defendant,
The nature of Plaintiff's Demand is fully shown by a true and correpanying this citation, and made a part hereof.	•
PLAINTIFF'S ORIGINAL PETITION	
Issued and given under my hand and the seal of said Court	at Alice, Texas, this the 17 day of
AUGUST, A.D. 19 99	
AtteR. DAVID GUERREFülerk, District Court, Jim Wells County, P. O. Drawer 2219	Texas
Alice, Texas 78332,	
Reserve Colonia Coloni	Deputy.
	ATTORNEY FOR PLAINTIFF:
SEAL STATE OF THE PARTY OF THE	HECTOR P. GONZALEZ P.O. BOX 3728
CANALLY COUNTY IN	ALICE, TX. 78332

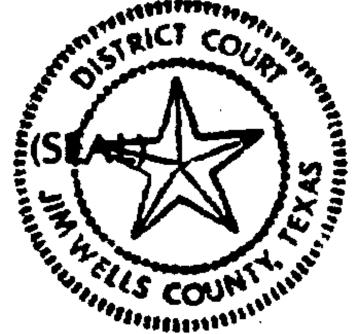
ALICE, TX. 78332

Rule 106: "Ithe citation shall be served by the officer delivering to each defendant, in person, a true copy of the citation with the date of delivering to each defendant, in person, a true copy of the citation with the date of delivering to each defendant, in person, a true copy of the citation with the date of delivering to endorsed thereon and with a copy of the petition attached thereto."

ORIGINAL

TO: SOUTHERN ENERGY HOMES a/k/a
- SOUTHERN LIFESTYLE HOMES, INC.
BY SERVING REGISTERED AGENT
WINDEL L. BATCHELOR
HIGHWAY 41 NORTH,
ADDISON, AL 35540

ADDISON, AL 35540
Defendant , Greetings:
YOU HAVE BEEN SUED. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition a default judgment may be taken against you.
Said Plaintiff's Original Petition was filed in said court, on the <u>16</u> day of <u>AUGUST</u> A.D.
19 $99$ in this cause, numbered $99-08-37833$ on the docket in the 79th Judicial District Court of Jim Wells County, Alice, Texas, and styled,
JAIME VALENZUELA, et al Plaintiff.
VS.
REDMAN HOMES, INC. a/k/a REDMAN HOUSING, et al Defendant,
The nature of Plaintiff's Demand is fully shown by a true and correct copy of Plaintiff's Original Petition accompanying this citation, and made a part hereof.
PLAINTIFF'S ORIGINAL PETITION
Issued and given under my hand and the seal of said Court at Alice, Texas, this the $17$ day of
AUGUST A.D. 19 99
AR:DAVID GUERRERÜtlerk, District Court, Jim Wells County, Texas P. O. Drawer 2219 Alice, Texas 78332
By
ATTORNEY FOR PLAINTIFF: HECTOR P. GONZALEZ



ATTORNEY FOR PLAINTIFF:
HECTOR P. GONZALEZ
P.O. BOX 3728
ALICE, TX. 78332

Rule 106: "the citation shall be served by the officer delivering to each defendant, in person, a true copy of the citation with the date of the Nerview endorsed thereon and with a copy of the petition attached thereto."

# THE STATE OF TEXAS ORIGINAL

TO: REDMAN HOMES, INC., a/k/a
REDMAN HOUSING, BY SERVING
REGISTERED AGENT C.T. CORP. SYSTEMS
350 N. ST. PAUL ST.
DALLAS, TEXAS 75201

·
Defendant, Greetings:
YOU HAVE BEEN SUED. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition a default judgment may be taken against you.
Said Plaintiff's Original Petition was filed in said court, on the <u>16</u> day of <u>AUGUST</u> A.D.
19 $\underline{99}$ in this cause, numbered $\underline{99-08-37833}$ on the docket in the 79th Judicial District Court of Jim Wells County, Alice, Texas, and styled,
JAIME VALENZUELA, et al Plaintiff.
VS.
REDMAN HOUSING, et al Defendant,
The nature of Plaintiff's Demand is fully shown by a true and correct copy of Plaintiff's Original Petition accompanying this citation, and made a part hereof.
PLAINTIFF'S ORIGINAL PETITION
Issued and given under my hand and the seal of said Court at Alice, Texas, this the $17$ day of
AUGUST , A.D. 19 99
Attes, DAVID GUERRER District Court, Jim Wells County, Texas  P. O. Drawer 2219  Alice, Texas 78332
By
ATTORNEY FOR PLAINTIFF: HECTOR P. GONZALEZ

Rule 106: "the citation shall be served by the officer delivering to each defendant in person, a true copy of the citation with the date of delivery endorsed thereon, and with a copy of the petition attached thereto."

P.O. BOX 3728

ALICE, TX. 78332

TO: DANE ENERGY d/b/a THE HOMEPORT BY SERVING REGISTERED AGENT

- PAUL ROBERT ROTH
1400 E. HWY. 459
MATHIS, TEXAS 78368

ORIGINAL

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	Defendant , Greetin	gs:
YOU HAVE BEEN SUED. You may employ an attorney. If you or your attended the clerk who issued this citation by 10:00 a.m. on the Monday next following were served this citation and petition a default judgment may be taken a	ng the expiration of twenty days after y	
Said Plaintiff's Original Pettion was filed in said court, on the	_day ofAUGUST A	.D.
19_99_in this cause, numbered 99-08-37833 on the docket in the County, Alice, Texas, and styled,	e 79th Judicial District Court of Jim We	ells
JAIME VALENZUELA, et al	Plaint	iff.
· · · · · · · · · · · · · · · · · · ·		
VS.		
REDMAN HOMES, INC. a/k/a REDMAN HOUSING, et al	Detendant	
The nature of Plaintiff's Demand is fully shown by a true and correct opanying this citation, and made a part hereof.		•
PLAINTIFF'S ORIGINAL PETITION		
Issued and given under my hand and the seal of said Court a	t Alice, Texas, this the <u>17</u> day	of
AUGUST A.D. 19 99		
ARSDAVID GUERRER(Tierk, District Court, Jim Wells County, Ter	ras	
P. O. Drawer 2219 Alice, Texas 78332		
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P.O. BOX 3728

ALICE, TX. 78332

AUG 2 1 1999

#### CAUSE NO. <u>99-08-37833</u>

JAMIE VALENZUELA, et al.	§ 8	IN THE DISTRICT COURT
VS.	8 8 8	79 <sup>TH</sup> JUDICIAL DISTRICT
REDMAN HOMES, INC a/k/a REDMAN HOUSING, et al.	3 §	JIM WELLS COUNTY, TEXAS

# MOTION TO TRANSFER VENUE AND, SUBJECT THERETO, ORIGINAL ANSWER OF CLAYTON HOMES, INC., LUV MOBILE HOME SALES AND VANDERBILT MORTGAGE AND FINANCE, INC.

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW the Defendants, Clayton Homes, Inc., Luv Mobile Home Sales, and Vanderbilt Mortgage and Finance, who files this Motion to Transfer Venue, and subject thereto, their Original Answer, and in support thereof would show as follows:

- 1. The Defendant would show that there is no mandatory or permissive venue provision which would allow venue of this cause of action in Jim Wells County.
- 2. All or a substantial part of the alleged events or omissions in question did not occur in Jim Wells County.
- 3. The Defendant does not reside in Jim Wells County, Texas or did so at the time this cause of action allegedly accrued.
- 4. The Defendant does not have their principal office in Jim Wells County, Texas.
- 5. The Defendant, Clayton Homes, Inc., has its principal office in Marysville, Tennessee. It's principal office in this State is in Comal County, Texas.

6. The Defendant would show that this cause of action should be transferred to Comal County, Texas.

7. These Defendants hereby enters a general denial as authorized by the Texas Rules of Civil Procedure.

8. The Defendants specifically reserve the right to amend their answer to include any other defenses, affirmative defenses and/or counter-claims which it deems necessary.

WHEREFORE, the Defendants respectfully request that the Plaintiffs take nothing by this suit and for such other and further relief, both at law and in equity, to which the Defendant may be justly and legally entitled.

Respectfully Submitted, Law Offices of Ed Walton 8300 Douglas, Suite 800 Dallas, Texas 75225 (214) 706-9325

Ed Walton

SBN: 20828550

#### **Certificate of Service**

<ul> <li>This is to certify that a true</li> </ul>	and correct copy	of the above and foregoing has thi	S
day been forwarded to Hector P.	•	ox 3728, Alice, Texas 78333.	
Signed this 20 1/2 day of _	August	, 1999.	•
		Elcela	
	Ed \	Walton	

## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS CORPUS CHRISTI DIVISION

JAIME VALENZUELA, ANNABELLE	§
IBANEZ, ESMERALDA ALFARO, ARNOLD	Š
CASAS, PAULA CASAS, ROBERT SHIPP,	§
MARIA SHIPP, MIGUEL LOPEZ, HERSHAL	§
FRAZIER, ISAAC ROCHA, JACKIE ROCHA	§
LOUIE GONZALEZ,	§
PLAINTIFFS	§
	§
$\mathbf{V}_{\cdot}$	§
	§
REDMAN HOMES, INC. A/K/A REDMAN	§
HOUSING, TITAN HOMES, INC.,	§
OAKMAN HOMES, INC. D/B/A OAKWOOD	§
MOBILE HOMES, INC., SOUTHERN	§
HOMES, PALM HARBOR HOMES D/B/A	§
MASTERPIECE HOUSING, CLAYTON	§
HOMES, INC., SOUTHERN ENERGY	§
HOMES, INC., SOUTHERN LIFESTYLE	§ CIVIL ACTION NO.
HOMES, INC., BELMONT HOMES, INC.	§
D/B/A MS BELMONT HOMES, INC.,	§
DANE ENERGY D/B/A THE HOMEPORT,	§
LUV MOBILE HOME SALES, CIT GROUP	§
SALES AND FINANCE, HOMES BY	§
OAKWOOD, VALUE HOUSING, INC.,	§
OAKWOOD ACCEPTANCE, CORP.,	§
GREENPOINT CREDIT, L.L.C. D/B/A	§
GREENPOINT CREDIT, INC.,	§
VANDERBILT MORTGAGE & FINANCE,	§
INC., NATIONS CREDIT AND HOUSING,	§
INC., UNITED COMPANY FUNDING, INC.,	§
GREENTREE FINANCIAL SERVICING	§
CORP.	§
DEFENDANTS	§

#### **COUNSEL OF RECORD**

Hector P. Gonzales P.O. Box 3728 Alice, Texas 78333

Attorney for Plaintiffs

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Ed Walton Law Offices of Ed Walton 8300 Douglas, Ste. 800 Dallas, Texas 75225 (214) 706-9325

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Attorney for Defendants Clayton Homes, Inc., Luv Mobile Home Sales, and Vanderbilt Mortgage and Finance, Inc.

## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS CORPUS CHRISTI DIVISION

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#### INDEX OF MATTERS BEING FILED

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District Clerk's Case Summary (Computer Generated)

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District Clerk's Civil Docket

Plaintiff's Original Petition

Certificate of Service by Certified Mail

Citations for Service

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Motion to Transfer Venue and Subject Thereto, Original Answer of Clayton Homes, Inc., Luv

Mobile Home Sales and Vanderbilt Mortgage and Finance, Inc.